

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HANS MOKE NIEMANN,

Plaintiff,

v.

SVEN MAGNUS ØEN CARLSEN A/K/A  
MAGNUS CARLSEN, PLAY MAGNUS AS  
D/B/A PLAY MAGNUS GROUP, CHESS.COM,  
LLC, DANIEL RENSCH A/K/A “DANNY”  
RENSCH, AND HIKARU NAKAMURA,

Defendants.

Case No. 4:22-cv-01110-AGF

**DECLARATION OF DMITRI  
SHNEIDER IN SUPPORT OF  
DEFENDANT PLAY MAGNUS AS D/B/A  
PLAY MAGNUS GROUP’S MOTION TO  
DISMISS PLAINTIFF’S SECOND  
AMENDED COMPLAINT**

Hon. Audrey G. Fleissig

I, Dmitri Shneider, make this declaration in support of Defendant Play Magnus AS d/b/a Play Magnus Group’s (“Play Magnus’s”) motion to dismiss Plaintiff Hans Niemann’s (“Niemann”) Second Amended Complaint (“SAC”) for lack of personal jurisdiction and for failure to state a claim, submitted herewith in the above-captioned suit. The statements made herein are based on my personal knowledge and a reasonably diligent investigation conducted to date. I hereby declare that:

1. I have personal knowledge of the matters set forth in this declaration, and I can testify competently thereto.

2. Play Magnus operates a platform for online recreational chess, and integrates an ecosystem of innovative digital brands to deliver eLearning and entertainment experiences for chess fans. Play Magnus was co-founded by Magnus Carlsen (“Carlsen”).

3. I have been the Chief Financial Officer (“CFO”) of Play Magnus since August 2020. As CFO, my duties are wide-ranging, and include but are not limited to managing the

financial affairs of the company, analyzing the company's financial strengths and weaknesses, and proposing strategic direction.

4. Play Magnus is incorporated in Norway as an *aksjeselskap* or "AS," which is the Norwegian term for a private, limited liability company. Play Magnus's business offices, and its principal place of business, are located in the municipality of Oslo, Norway.

5. Play Magnus does not have, nor has it ever had, any business offices in Missouri.

6. Play Magnus does not currently own, lease, rent, possess, or control, nor has it ever owned, leased, rented, possessed, or controlled, real or personal property or any other asset or thing of value in Missouri.

7. Play Magnus does not own, nor has it ever owned, any type of interest in any Missouri company or in any company that I know to have substantial operations in Missouri.

8. Play Magnus does not currently maintain, nor has it ever maintained, a bank account, safe deposit box, mailing address, post office box, or telephone listing in Missouri.

9. Play Magnus does not maintain, and has never maintained, an agent authorized to accept service of process in Missouri.

10. On August 24, 2022, Carlsen appeared on a video conference call on behalf of Play Magnus to announce that Play Magnus was merging with Chess.com. When Carlsen participated in the video conference call, he was not located in Missouri. On December 16, 2022, Play Magnus consummated its merger with Chess.com. The merger was not consummated in Missouri. On December 21, 2022, Carlsen participated in another video conference call on behalf of Play Magnus announcing the closing of the merger. Carlsen was not located in Missouri during this second announcement.

11. Niemann alleges that, at some point in time, Play Magnus “posted” an allegedly defamatory meme on Twitter. (SAC ¶ 119.) Play Magnus’s Twitter account is operated by Play Magnus’s marketing and social media teams, which post tweets on behalf of Play Magnus. Play Magnus’s marketing and social media teams are not, and have never been, based in Missouri. Nor did they post the allegedly defamatory meme from Missouri.

12. Niemann alleges that on September 19, 2022, chess player Lawrence Trent (“Trent”) made certain comments during a livestream on YouTube. (SAC ¶ 120.) Trent made these comments as a guest host during a pre-tournament discussion with host Tania Sachdev. The livestream occurred on chess24’s YouTube channel and is available at <https://www.youtube.com/watch?v=RNngyBUH4ao>. Play Magnus and chess24 merged in March 2019, but Play Magnus and chess24 operate their own YouTube channels.

13. Play Magnus regularly invites chess players to offer their own independent commentary as guest hosts during livestreamed events on YouTube. Trent appeared on the September 19, 2022 livestream to provide independent commentary as a guest host before the Julius Baer Generation Cup.

14. Trent is not, and has never been, a Play Magnus officer or employee. Play Magnus has never authorized Lawrence Trent to speak on Play Magnus’s behalf.

15. Play Magnus has not banned Niemann from playing in online Play Magnus tournaments. Nor has Play Magnus banned Niemann from playing in its in-person tournaments. Most recently, Niemann participated in the Chessable Sunway Sitges International Chess Festival and the World Rapid & Blitz Championship in December 2022—both tournaments sponsored and hosted by Play Magnus and its affiliates.

16. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 11th day of April, 2023 at New York, NY.

A handwritten signature in black ink, appearing to read 'DShneider', written over a horizontal line.

Dmitri Shneider

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on April 11, 2023, the foregoing document was served on all counsel of record by ECF.

DATED: April 11, 2023 /s/ Nima H. Mohebbi  
Nima H. Mohebbi (# 275453CA)  
Attorney for Defendant Play Magnus  
AS d/b/a Play Magnus Group  
**LATHAM & WATKINS LLP**  
355 S. Grand Ave., Suite 100  
Los Angeles, CA 90071  
Tel: (213) 485-1234